

REMARKS**Status of the Claims**

Claims 1 – 27 are pending in this application. Claims 1 – 18 have been canceled. Claims 19 – 27 stand rejected.

Claims 19, 21-22, 24-25 and 27 are amended herein. Support for the claims is found throughout the instant specification. For example at: page 39, line 15 to page 42, line 6.

Claims 20, 23 and 26 are cancelled herein without prejudice or disclaimer, and Applicant retains its right to pursue claims to the canceled subject matter in one or more continuing applications claiming priority to this application.

No new matter has been introduced by these amendments. Reconsideration and withdrawal of the pending rejections in view of the above claim amendments and below remarks are respectfully requested.

Response to Rejections under 35 U.S.C. §101

Claims 22-24 have been rejected under 35 U.S.C. §101 because the claimed invention is directed to a non-statutory subject matter.

Claim 23 has been cancelled. Claims 22 and 24 have been amended herein. Applicant respectfully submit that claims 22 and 24 which are directed towards a “computer readable medium embodying a computer program” constitute patentable subject matter.

Applicant respectfully requests withdrawal of this ground of rejection of Claims 22 and 24.

Response to Rejections under 35 U.S.C. §103

Claims 19 – 27 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Grove et al. (U.S. 2002/0059622 A1) in view of Chang et al. (U.S. 2006/0020688).

According to the Examiner, “Grove teaches an address notification method comprising, upon receiving a query about an address of a first apparatus from a second apparatus, sending a query about the address of the first apparatus to a third apparatus, and notifying the second apparatus of the address of the first apparatus obtained from the third apparatus.” Office Action at 5-6 (quotations omitted). The Examiner also states that Grove teaches a “validity period parameter commonly called TTL(time to live) . . . (the expiration time of the address of the first apparatus that is obtained from the third apparatus together with the address of the first apparatus.)” Id. at 6. Lastly, the Examiner also states that Grove discloses the ability to “increase the TTL, that is an expiration time of the address of the first apparatus longer than that obtained from the third apparatus.” Id.

The Examiner also states that Grove fails to teach “wherein the second apparatus is notified of, as an expiration time of the address of the first apparatus, an expiration time shorter than the expiration time of the address of the first apparatus that is obtained from the third apparatus together with the address of the first apparatus.” Id.

According to the Examiner, Chang teaches that the client “first sends an IP address query message to its default DNS server in step 400. The query message eventually arrives at the border DNS server BD that is responsible for the domain of “research.att.com.” The border DNS server BD then finds that this IP address query is from an external host and the queried IP host is an inside one. In step 402, the border DNS server BD selects a GSA gateway to the querying host. The returned IP address is assigned the shortest TTL so that the DNS query result is prevented from being cached by the default DNS server at the client side.” Id. at 7. The Examiner also notes the “ability of Chang’s DNS to decrease the TTL, that is an expiration time of the address of the first apparatus shorter than that of obtained from the third apparatus.” Id.

The Examiner concludes that “[b]ecause both Grove and Chang teaches the ability of the DNS server to either extend the expiration time of the address of the first apparatus or shorten the expiration time of the address of the first apparatus, it would have been obvious to one skilled in the art to substitute one ability for the other, to achieve predictable results of either extending the expiration time of the address of the first apparatus or shortening the expiration time of the address of the first apparatus to control the ‘DNS Caching’ as taught by Chang” Id. at 8.

One of the characteristics of amended independent claims 19, 22 and 25 is that they each claim two separate expiration times. The first expiration time is notified before the results of a connection test have been obtained, whereas the second expiration time is notified after the results of a connection test have been obtained. It is respectfully submitted that neither Grove nor Chang differentiate between a first and second expiration time. Additionally, neither Grove nor Chang disclose a first expiration time that is notified before the results of a connection test, nor a second expiration time that is notified after the results of a connection test. Furthermore, there would be no teaching, motivation or suggestion to combine Grove and Chang because neither refer to the technical problem that the second apparatus continuously uses the unconnectable address.

Therefore, independent claim 19, 22 and 25 and dependent claims 21, 24 and 27 that depend therefrom, are patentable over the cited references, singularly or in combination.

Response to Rejections under 35 U.S.C. §112

Claims 19-27 have been rejected under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. According to the Examiner, because claim 20 depended from claim 19, thereby inheriting its limitations, claim 20 itself defines the initiation of the “test,” and consequently, the

“notification method of claim 19 is in itself the beginning or initiation of ‘a test.’” Office Action at 2. This argument formed the basis for the rejection of claims 21-27 as well.

It is respectfully submitted that the “notification method” that Examiner refers to is not the beginning of “a test.” It is respectfully submitted that the second apparatus is notified of the expiration time before the “result of the connection test . . . has been obtained,” not before the test is “initiated.”

Therefore, Applicant respectfully requests withdrawal of this ground of rejection of Claims 19, 21-22, 24-25 and 27.

Acknowledgement of Priority

Applicant wishes to point out to the Examiner that no box concerning a Priority Document was checked in the Office Action. The instant application claims the benefit of Japanese App. 2003-012283. Applicants respectfully direct the Examiner to Applicant’s Claim to Convention Priority submitted on May 18, 2004. Applicants respectfully request that the Examiner acknowledge the Priority Document.

CONCLUSION

Based on the foregoing amendments, additions and remarks, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims and allowance of this application. Favorable action by the Examiner is earnestly solicited.

Entry of the amendments and an action passing this case to issue is therefore respectfully requested. In the event that a telephone conference would facilitate examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

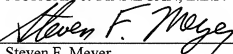
AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-5250. Furthermore, in the event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this Response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No. 1232-5250.

Respectfully submitted,
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By: _____


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